

WARRANTY DEED

Form WD-1
Revised 07/2014

Project:	<u>0900029</u>
Code:	<u>N/A</u>
Parcel:	<u>5</u>
Page:	<u>1 of 4</u>

THIS INDENTURE WITNESSETH, That the City of Westfield, the Grantor(s) of Hamilton County, State of Indiana Convey(s) and Warrant(s) to the **CITY OF WESTFIELD**, the Grantee, for and in consideration of the sum of one Dollars (\$1.00) (of which said sum \$1.00 represents land and improvements acquired and \$0.00 represents damages) and other valuable consideration, the receipt of which is hereby acknowledged, certain Real Estate situated in the County of Hamilton, State of Indiana, and being more particularly described in the legal description(s) attached hereto as Exhibit "A" and depicted upon the Right of Way Parcel Plat attached hereto as Exhibit "B", both of which exhibits are incorporated herein by reference.

This conveyance is subject to any and all easements, conditions and restrictions of record.

The Grantor(s) hereby specifically acknowledge(s) and agree(s) that the Real Estate conveyed herein is conveyed in fee simple and that no reversionary rights whatsoever shall remain with the Grantor(s), or any successors in title to the abutting lands of the Grantor(s), notwithstanding any subsequent abandonment, vacation, disuse, nonuse, change of use, conveyance, lease and/or transfer by the Grantee or its successors in title, of a portion or all of the said Real Estate or any right of way, roadway or roadway appurtenances established thereupon. This acknowledgement and agreement is a covenant running with the land and shall be binding upon the Grantor(s) and all successors and assigns.

Interests in land acquired by the
City of Westfield, Indiana
Grantee mailing address:
2706 East 171st Street
Westfield, Indiana 46074
I.C. 8-23-7-31

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The undersigned represents and warrants that Andy Cook, the Mayor of the Grantor, that pursuant to resolution of the City Council he has full authority to manage the affairs of said City and sign and execute documents on its behalf and that said authority has not been revoked, and that he is therefore, fully authorized and empowered to convey to the City of Westfield real estate of the City, and that on the date of execution of said conveyance instruments he had full authority to so act.

The grantor(s) assume(s) and agree(s) to pay the 2013 payable 2014 real estate taxes and assessments on the above described real estate. This obligation to pay shall survive the said closing and shall be enforceable by the City in the event of any non-payment.

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IN WITNESS WHEREOF, the said Grantor(s) has executed this instrument
this _____ day of _____, 2014.

City of Westfield, Indiana

Signature (Seal)

Andy Cook, Mayor
Printed Name

STATE OF: INDIANA:
COUNTY OF HAMILTON:

SS:

Before me, a Notary Public in and for said State and County, personally appeared Andy Cook, Mayor, the Grantor(s) in the above conveyance, and acknowledged the execution of the same on the date aforesaid to be his voluntary act and deed and who, being duly sworn, stated that any representations contained therein are true.

Witness my hand and Notarial Seal this _____ day of _____, 2014.

Signature _____

Printed Name _____

My Commission expires _____

I am a resident of _____ County.

This instrument prepared by and I affirm under the penalties for perjury that I have taken reasonable care to redact each Social Security number in this document, unless required by law.

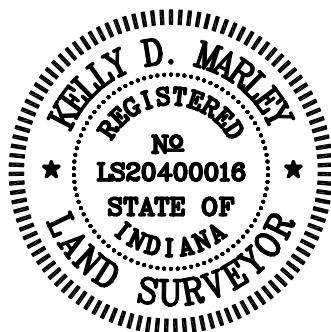
Brian Zaiger
Attorney No. 15681-29
City Attorney, City of Westfield
130 Penn
Westfield, IN 46074

EXHIBIT "A"

Sheet 1 of 2

Project: Monon Trail, Phase 6
Des. 0900029
Parcel: 5 Fee
Parcel ID: 29-05-25-000-057.003-015

A part of the South Half of the Southwest Quarter of Section 25, Township 19 North, Range 3 East, Hamilton County, Indiana, and being that part of the grantor's land lying within the right-of-way lines depicted on the attached Right-of-Way Parcel Plat, marked Exhibit "B", described as follows: Commencing at the southeast corner of said quarter section, designated as point "505" on the Location Control Route Survey Plat recorded as Instrument 2013057006 in the Office of the Recorder of said county; thence North 00 degrees 02 minutes 30 seconds East (basis of bearings is said Location Control Route Survey Plat) 550.00 feet along the east line of said quarter section to a southeast corner of the grantor's land; thence South 89 degrees 10 minutes 59 seconds West 6.45 feet along a south line of the grantors land to the point of beginning of this description, which point of beginning is designated as point "726" on said Parcel Plat; thence continuing South 89 degrees 10 minutes 59 seconds West 60.01 feet along said south line; thence North 01 degree 41 minutes 08 seconds West 30.84 feet to point "728" designated on said Parcel Plat; thence Northwesterly 759.06 feet along an arc to the left and having a radius of 2,787.42 feet and subtended by a long chord having a bearing of North 09 degrees 29 minutes 12 seconds West and a length of 756.72 feet to the north line of said half-quarter section; thence North 88 degrees 58 minutes 33 seconds East 62.45 feet along said north line; thence Southeasterly 757.91 feet along an arc to the right and having a radius of 2,847.42 feet and subtended by a long chord having a bearing of South 09 degrees 18 minutes 39 seconds East and a length of 755.68 feet to point "727" designated on said Parcel Plat; thence South 01 degree 41 minutes 08 seconds East 31.75 feet to the point of beginning and containing 1.088 acres, more or less.



This description was prepared for the
City of Westfield, Indiana
on the 3rd day of December, 2013.

Kelly D. Marley
Kelly D. Marley
Indiana Registered Land Surveyor
License Number LS20400016

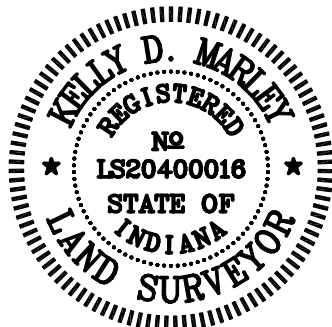


EXHIBIT "A"

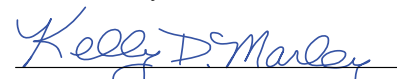
Sheet 2 of 2

Project: Monon Trail, Phase 6
Des. 0900029
Parcel: 5A Fee
Parcel ID: 29-05-25-000-058.000-015

A part of the Southwest Quarter of Section 25, Township 19 North, Range 3 East, Hamilton County, Indiana, and being that part of the grantor's land lying within the right-of-way lines depicted on the attached Right-of-Way Parcel Plat, marked Exhibit "B", described as follows: Beginning on the north line of said quarter section at a point North 88 degrees 46 minutes 07 seconds East 1,763.77 feet from the northwest corner of said quarter section, designated as point "401" on the Location Control Route Survey Plat recorded as Instrument 2013057006 and corrected in an Affidavit of Correction recorded as Instrument 2013067270 all in the Office of the Recorder of said county (basis of bearings is said Location Control Route Survey Plat), which point of beginning is a northeast corner of the grantor's land on the center line of the abandoned CSX Railroad (formerly the Monon or C.I. &L. Railroad); thence South 33 degrees 30 minutes 30 seconds East 703.86 feet along said center line to point "605" designated on said Route Survey Plat; thence along said center line Southeasterly 806.36 feet along an arc to the right and having a radius of 2,817.42 feet and subtended by a long chord having a bearing of South 25 degrees 18 minutes 33 seconds East and a length of 803.61 feet to the north line of the South Half of said quarter section; thence South 88 degrees 58 minutes 33 seconds West 31.24 feet along said north line; thence Northwesterly 789.11 feet along an arc to the left and having a radius of 2,787.42 feet and subtended by a long chord having a bearing of North 25 degrees 23 minutes 54 seconds West and a length of 786.48 feet to point "730" designated on said Parcel Plat; thence North 33 degrees 30 minutes 30 seconds West 722.80 feet to the north line of said quarter section; thence North 88 degrees 46 minutes 07 seconds East 35.48 feet along said north line to the point of beginning and containing 1.041 acres, more or less, inclusive of the presently existing right-of-way which contains 0.007 acres, more or less, for a net additional taking of 1.034 acres, more or less.



This description was prepared for the
City of Westfield, Indiana
on the 3rd day of December, 2013.


Kelly D. Marley
Indiana Registered Land Surveyor
License Number LS20400016

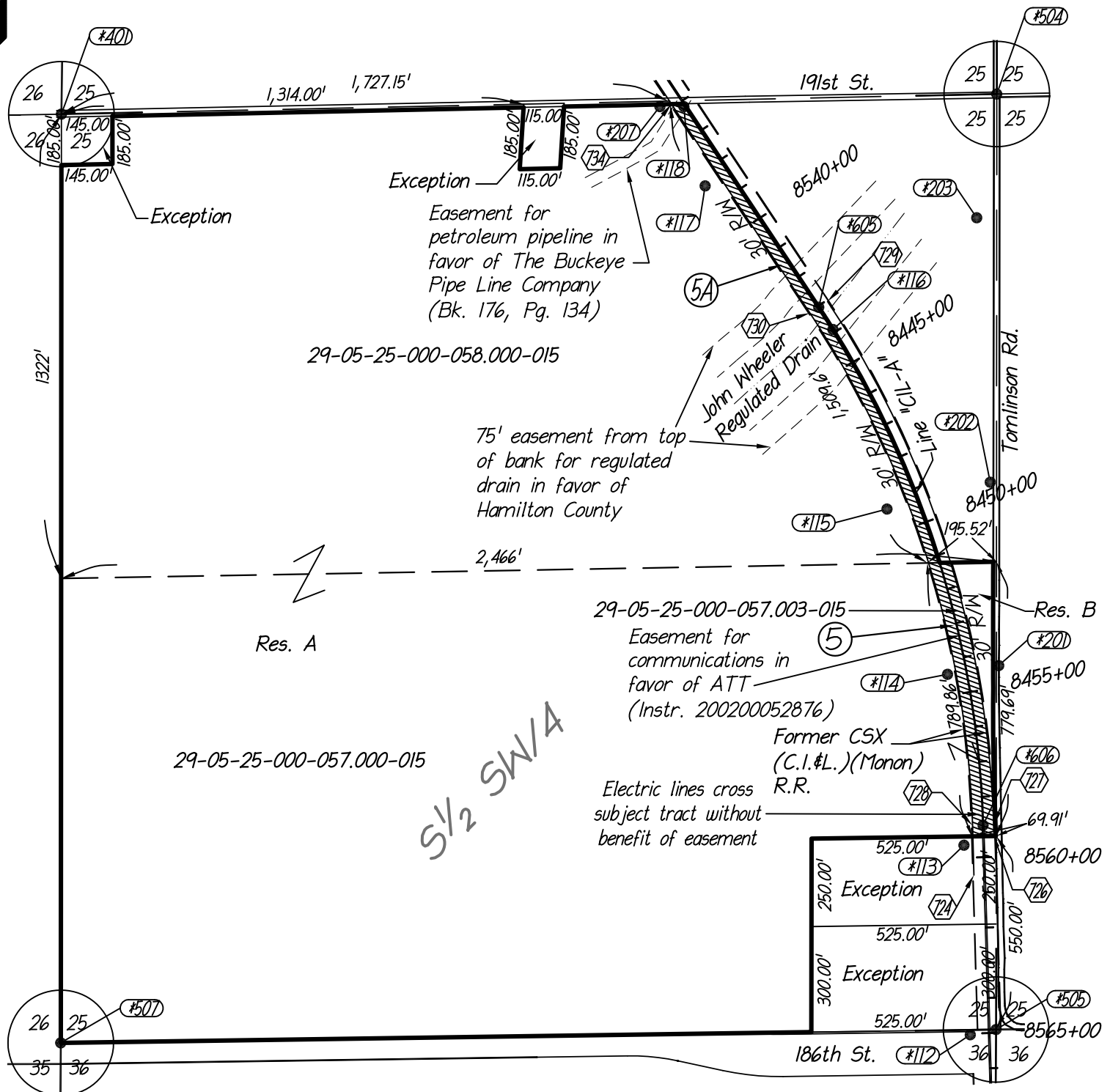


RIGHT-OF-WAY PARCEL PLAT

Prepared for the the City of Westfield, Indiana
by USI Consultants, Inc. (Job #2013-093)

0' 100' 200' 400'

SCALE 1" = 400'



PARCEL: 5 OWNER: CITY OF WESTFIELD

DES NO.: 0900029

PROJECT: MONON TRAIL

COUNTY: HAMILTON

SECTION: 25

TOWNSHIP: 19 N.

RANGE: 3 E.



HATCHED AREA IS THE APPROXIMATE TAKING

DRAWN BY: K.D. MARLEY 11-18-2013

CHECKED BY: D.R. WEST 11-19-2013

INSTR. 200300126946 DATED 12-24-2003

INSTR. 2011014330 DATED 3-8-2011

INSTR. 2012002451 DATED 12-16-2011

INSTR. 2012002450 DATED 12-16-2011

DIMENSIONS SHOWN ARE FROM THE ABOVE LISTED RECORD DOCUMENTS.

EXHIBIT "B"

RIGHT-OF-WAY PARCEL PLAT

SHEET 2 OF 2

Prepared for the the City of Westfield, Indiana
by USI Consultants, Inc. (Job #2013-093)

Parcel Coordinate Chart					
Point	Line	Station	Offset	Northing	Easting
724	"CIL-A"	8560+50.00	30.00' Rt.	1752342.7187	196332.4429
726	"CIL-A"	+P 8559+40.75	30.00' Lt.	1752453.6878	196389.2037
727	"CIL-A"	+P.T. 8559+09.00	30.00' Lt.	1752485.4224	196388.2699
728	"CIL-A"	+P.T. 8559+09.00	30.00' Rt.	1752483.6577	196328.2959
729	"CIL-A"	+P.C. 8443+16.00	30.00' Lt.	1753973.6172	195916.2749
730	"CIL-A"	+P.C. 8443+16.00	30.00' Rt.	1753940.4937	195866.2466
734	"CIL-A"	+P 8535+91.53	30.00' Rt.	1754534.3916	195473.0288

Stations & offsets control over both north & east coordinates and bearings & distances

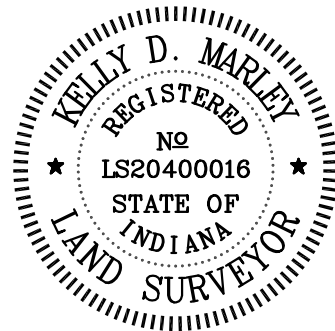
For alignments and points designated with "" see the Location Control Route Survey recorded in Instrument 2013057006 & the Affidavit of Correction recorded in Instrument 2013067270

SURVEYOR'S STATEMENT

To the best of my knowledge and belief, this plat, together with the "Location Control Route Survey" recorded in Instrument 2013057006 & the Affidavit of Correction recorded in Instrument 2013067270 in the Office of the Recorder of Hamilton County, Indiana, (incorporated and made a part hereof by reference) comprise a Route Survey executed in accordance with Indiana Administrative Code 865 IAC 1-12, ("Rule 12").

Kelly D. Marley

Kelly D. Marley Dated 12-3-2013
Reg. Land Surveyor No. LS20400016
State of Indiana



PARCEL: 5 **OWNER:** CITY OF WESTFIELD
DES NO.: 0900029
PROJECT: MONON TRAIL
COUNTY: HAMILTON
SECTION: 25
TOWNSHIP: 19 N.
RANGE: 3 E.

DRAWN BY: K.D. MARLEY 11-18-2013
CHECKED BY: D.R. WEST 11-19-2013